

# Mad Dogs

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**THIS week, Judge Peter Kelly** of the New York State Supreme Court may incarcerate 1.4 million New Yorkers. Their crime? Being dogs.

The Juniper Park Civic Association in Queens is taking the city to court over its 1959 leash law, which requires dogs in public places to be restrained by a leash of no more than six feet. In recent years, the law hasn't been fully enforced. Instead, city park administrators have accommodated the recreational needs of dogs and their owners by instituting "courtesy hours," usually between 9 p.m. and 9 a.m., during which dogs, under the voice command of humans, can be off-leash in designated areas of the parks. The crown jewel of the courtesy-hour system is Brooklyn's Prospect Park, where one can see dozens of dogs frolicking on weekday mornings and several hundred on the weekend.

But with 1.4 million dogs in the city, someone in some park at some time will be bitten, just as someone will be struck by a softball, hit by a cyclist or run over by a car. The association has argued that the public must be protected from these occasional bites by restraining dogs at all times. Their reasoning is hardly unique. Across America, more and more urban and suburban communities have instituted leash laws, not only to protect the public against dog bites, but also to protect against lawsuits.

The upshot is that dogs lead ever more incarcerated lives at the end of a very short lead, and dog owners don't get to play with them in the way dogs and people have interacted for thousands of years. This loss might be viewed as one of the tradeoffs that comes with living in an urbanized world – if, that is, leash laws actually worked as intended.

But after nearly 50 years of watching them in operation, we can say that they've brought about the opposite of what we've hoped: dogs that are constantly leashed aren't as well socialized as dogs that get to meet other dogs off-leash; they display more behavioral problems; and they're often more aggressive. These are the very sorts of dogs that, spending their lives away from their own kind – often in a city apartment or suburban yard – bark their heads off at passers-by, make the mailman's life hell and act aggressively toward other dogs and people.

Yet, proponents of strong leash laws have a point: 4.7 million dog bites were reported by the Centers for Disease Control in 1994. However, the C.D.C. and its Canadian counterpart also note that the majority of these dog bites – 75 percent in the United States and 65 percent in Canada – didn't happen to pedestrians who encountered an off-leash dog in a public place. Rather, most dog bites

occurred within the home to a family member who knew the dog. In fact, only 1.1 percent of all dog bites surveyed in Canada occurred in public parks or sports and recreation areas. Data on emergency room visits in the United States also puts the danger of dog bites into perspective. Only 1.3 percent of all people admitted to emergency rooms in the United States are treated for dog bites. The chances of being bitten by a dog are about the same as being poisoned.

The chances of being bitten by an urban dog are even lower. Their caretakers, being city people and not so wedded to automobiles, walk, and when they walk they take their dogs with them. If they have access to parks that allow off-leash recreation, their dogs run and play with other dogs, burning off pent-up energy. In addition, both person and dog get what many of us want nearly every day: access to some green space, safety from cars, exercise and conversation with our own kind.

New York's dog owners and their dogs deserve these basics, and not simply because the dog owners pay taxes that support the parks. The benefits of off-leash recreation have spread far beyond dogs and their owners. Parks that were once hangouts for criminals have been reclaimed for the non-dog-owning public, in part, by the presence of so many law-abiding citizens walking their dogs at all hours and in bad weather.

Sending the city's dogs back to leash jail won't make the parks any safer. The leash law and off-leash courtesy hours have worked synergistically to control dogs on crowded streets while allowing them and their owners to enjoy a small portion of the city's green space. Both should be kept.